

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Proposed Policies and Programs
Governing Low-Income Assistance Programs.

Rulemaking 01-08-027

**ADMINISTRATIVE LAW JUDGE'S RULING
AND NOTICE OF STATUS CONFERENCE AND PREHEARING
CONFERENCE ON LOW-INCOME ASSISTANCE PROGRAMS**

By Decision (D.) 01-05-033, the Commission directed Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company and Southern California Gas Company (collectively referred to as "the utilities") to submit regular status reports on the results of the rapid deployment efforts for low-income assistance programs required by that decision. We held status conferences on July 11, 2001 and August 28, 2001 in San Francisco and Los Angeles, respectively. By today's ruling, I am scheduling a third status conference to further update the Commission and interested parties on the utilities' rapid deployment achievements, followed by a prehearing conference (PHC) to plan for post-2001 program development for California Alternate Rates For Energy (CARE) and Low-Income Energy Efficiency (LIEE).¹

¹ The status conference and PHC will address the programs for the utilities listed above. Rapid deployment programs for the small and multi-jurisdictional utilities (*e.g.*, Avista Utilities, Bear Valley Electric Company, Sierra Pacific Power Company,

Footnote continued on next page

The status conference and PHC will be held on Friday, February 8, 2001 at the Commission's Courtroom, State Building, 505 Van Ness Avenue, San Francisco, California. The status conference will be held from 10:00 a.m. to 12:00 p.m. The PHC will be held from 1:30 p.m. to 4:00 p.m.

The utilities should coordinate their presentations for the morning session so that they collectively use no more than 60 minutes to summarize their rapid deployment accomplishments. The summary presentations should provide information on the increase in CARE penetration, units weatherized, types and quantities of measures installed and other indicators of what the program has accomplished since the inception of rapid deployment last spring. In their presentations, the utilities should also compare current CARE penetration rates with their submitted proposals for establishing future penetration rates.² They should also discuss how they plan to incorporate the results of the CARE Outreach Pilot Program into their future outreach efforts.³ In addition, the presentations should include the results to date of the utilities' CARE post-enrollment verification process, *e.g.*, what percentage of new CARE applications have been deemed after-the-fact to not qualify for the program. Handouts summarizing this requested information should be provided at the Status Conference. Also during the morning session, interested parties will be given the

PacifiCorp and Southwest Gas Company) were initiated more recently, and will be monitored separately. (See D.01-08-065.)

² These filings were made on December 19, 2001 in response to the Assigned Commissioner's Ruling dated November 20, 2001.

³ See Joint Utilities' Final Report on the CARE Outreach Pilot Program (revised), October 24, 2001.

opportunity to comment, ask questions and share observations about the rapid deployment accomplishments to date, as time permits.

The Commission has directed that the rapid deployment strategy adopted in Decision (D.) 01-05-033 continue “until further Commission order,” and anticipates that rapid deployment efforts will continue through the end of 2001 “and perhaps well into 2002.”⁴ The purpose of the afternoon session will be to discuss the range of possible next steps at this juncture, from continuing current rapid deployment efforts for the foreseeable future to making major changes to program design in the coming months. In the PHC statements (see below), the utilities and interested parties should present their preferred option(s). Those proposing to modify the current rapid deployment strategy during 2002 will need to clearly describe the potential scope of such modifications, and present procedural recommendations (*e.g.*, hold evidentiary hearings, request written comments and replies) as well as a proposed schedule.

Discussion of the above options should recognize that there are ongoing efforts to improve program implementation through the Standardization Project, Low-Income Needs Assessment Study and Reporting Requirements Manual (RRM) Working Group activities. Proposals to modify the rapid deployment strategy in the coming months should not duplicate or conflict with these efforts, and should include schedules that are workable in light of the work plans already established for them. For example, by mid-April, 2002, the RRM Working Group is required to submit recommendations on a cost-effectiveness methodology for the LIEE program based on the direction given in D.01-12-020,

⁴ D.01-05-033, *mimeo.*, p. 67.

and comments are due thirty days thereafter.⁵ Once that methodology is finalized, the Standardization Project Team will assess all current (including pilot) LIEE program measures in order to determine which measures should continue to be offered by the program.⁶ In addition, Phase 4 of the Standardization Project, which will address natural gas appliance testing procedures, requires several work products and activities that involve utility staff and Project Team consultants during 2002.⁷ A further public workshop on the Low-Income Needs Assessment Study is scheduled for mid-February, 2002, with additional public meetings to review consultant work product planned during the year.⁸ We will also discuss at the PHC ways to obtain more public input on low income issues, and interested parties may address this issue in their PHC statements.

The Commission has also initiated actions to implement Senate Bill No. 2 from the Second Extraordinary Session (SBX2 2), which amends Sections 382, 739.1 and 2790 of, and adds Sections 382.1 and 386 to, the Public Utilities Code. By ruling dated November 20, 2001 in this proceeding, the Assigned Commissioner solicited letters of interest and resumes from those interested in serving on the Low Income Oversight Board created by SBX2 2, directed the utilities to submit proposals to establish a CARE penetration goal, and solicited comments on CARE automatic enrollment issues. At the PHC, I will discuss the

⁵ A Working Group meeting on this project is scheduled for January 8, 2002.

⁶ D.01-12-020, Ordering Paragraph 9.

⁷ See ACR on Phase 4 Standardization Project Workplan, issued November 13, 2001.

⁸ The project work plan was distributed to the service list in advance of the October 25, 2001 public input workshop. Copies of the project Work Plan can be obtained by contacting Brenda Gettig at 858-481-0081 (Brenda@rer.com).

manner in which the Commission intends to address these specific SBX2 2 issues. For the purpose of planning for the PHC, participants should not address these issues in their PHC statements, other than to recognize SBX2 2 implementation efforts in their post-2001 scheduling proposals. Rather, the focus should be on the broader issue of whether the rapid deployment strategy adopted in D.01-05-033 should continue unmodified during 2002 (and if so, how long), or whether redirections or modifications should be made at this juncture (and the scope of what those should be).

The utilities and interested parties should file their PHC statements no later than February 1, 2001. All statements should be filed at the Commission's Docket Office and served electronically on all appearances and the state service list in this proceeding. Service by U.S. mail is optional, except that one hard copy of comments shall be mailed to me at PO Box 210, Volcano, CA 95689. In addition, if there is no electronic mail address available, the electronic mail is returned to the sender, or the recipient informs the sender of an inability to open the document, the sender shall immediately arrange for alternate service (regular U.S. mail shall be the default, unless another means—such as overnight delivery—is mutually agreed upon). The current service list for this proceeding is available on the Commission's web page, www.cpuc.ca.gov.

Dated January 7, 2002, at San Francisco, California.

/s/ Meg Gottstein

Meg Gottstein
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling and Notice of Status Conference and Prehearing Conference on Low-Income Assistance Programs on all parties of record in this proceeding or their attorneys of record.

Dated January 7, 2002, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

